



Order Filed on February 6, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Bernstein-Burkley, P.C.
Keri P. Ebeck, Esquire
Bar No. 262092017
707 Grant Street, Suite 2200, Gulf Tower
Pittsburgh, PA 15219
(412) 456-8112

ATTORNEY FOR CREDITOR: REGIONAL ACCEPTANCE CORPORATION

**IN THE BANKRUPTCY COURT FOR THE
DISTRICT OF NEW JERSEY (CAMDEN)
HONORABLE JERROLD N. POSLUSNY, JR.**

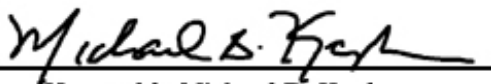
In re: : Case No. 19-11290-MBK
:
:
DIANA POLANCO, :
:
Debtor, :
: Chapter 13
:
: Hearing Date: January 22, 2020
:
_____ :

CONSENT ORDER RESOLVING MOTION FOR RELIEF FROM STAY DATED
DECEMBER 23, 2019

CONSENT ORDER MODIFYING STAY AS TO MOTOR VEHICLE
2018 TOYOTA COROLLA SEDAN 4D L 1.8L I4, VIN #2T1BURHEXJC071943

The relief set forth on the following pages, number one (1) through four (6) is hereby
ORDERED.

DATED: February 6, 2020



Honorable Michael B. Kaplan
United States Bankruptcy Judge

Debtors: Diana Ploanco
Case No.: 19-11290-MBK
Caption of Order: Consent Order Modifying Stay as to Personal Property

1. The 11 U.S.C. §362(a) Stay as to Regional Acceptance Corporation, (“Movant”), with respect to the personal property of Debtor described as a 2 2018 Toyota Corolla Sedan 4D L 1.8LI4, VIN #2T1BURHEXJC071943, in accordance with the agreement of the Debtor and Movant is hereby modified and shall remain in effect PROVIDED THAT Debtor comply with the following terms and conditions:

The arrears are \$2,752.82 as of the date of this Consent Order. Debtor shall cure the arrears and fees and costs by making the following payments on the following dates:

February 4, 2020 - \$935.95

March 4, 2020 - \$935.95

April 4, 2020 - \$935.95

May 4, 2020 - \$935.95

June 4, 2020 - \$935.95

July 4, 2020 - \$935.95

Debtor shall then be responsible for timely making all future regular monthly payments to Movant starting with the payment of \$477.15 due on August 4, 2020. Failure to make future monthly payments shall also be cause for default under this Consent Order.

2. The term “payment” as set forth in Paragraph 1, *supra*, does not include a check that is returned due to insufficient funds, account closed or is otherwise not capable of negotiation for any other reason.

3. Debtors will be in default under the Consent Order in the event that Debtors fail to comply with the payment terms and conditions in Paragraph 1, *supra*. If Debtors fail to cure the default within ten (10) days from the date of default, Movant may file a Certification of

Debtors: Diana Ploanco
Case No.: 19-11290-MBK
Caption of Order: Consent Order Modifying Stay as to Personal Property

Default on five (5) days' notice to Debtors, counsel for Debtors and the Chapter 13 Trustee for an Order lifting the automatic Stay imposed under 11 U.S.C. §362(a) and permitting Movant to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing sale of the motor vehicle without regard to any future conversion of this matter to a different form of bankruptcy.

4. The failure of Movant to file a notice of default will not be construed or act as a waiver of any of the rights of Movant under the Consent Order.

5. In the event Debtors convert to a bankruptcy under any Chapter other than Chapter 13 of the Bankruptcy Code, then Debtors shall pay all pre-petition arrears and post-petition arrears within fifteen (15) days from the date the case is converted from Chapter 13 to any other Chapter.

6. Movant's fees and costs of \$631 are to be paid through the Chapter 13 Plan.

We hereby Consent to the form and entry of the foregoing Order.

<u>/s/ Keri P. Ebeck</u> Keri P. Ebeck , Esquire Bernstein-Burkley, P.C. 707 Grant Street, Suite 2200 Gulf Tower Pittsburgh, PA 15219 (412) 456-8112 Email: kebeck@bernsteinlaw.com Counsel for Regional Acceptance Corporation	<u>/s/ Jenée K. Ciccarelli</u> Jenée K. Ciccarelli., Esquire Ciccarelli Law, PC 47 Park Avenue, Suite 304 West Orange, NJ 07052 (973) 737-9060 Email: info@jc-lawpc.com Counsel for Debtor Diana Polanco
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Dated: January 29, 2020

Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New JerseyIn re:
Diana Polanco
DebtorCase No. 19-11290-MBK
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 07, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 09, 2020.

db +Diana Polanco, 46 Stratford Drive, Manalapan, NJ 07726-3637

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Feb 09, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 7, 2020 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
 Albert Russo docs@russotrustee.com
 Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A. dcarlon@kmlawgroup.com,
 bkgroup@kmlawgroup.com
 Jenee K. Ciccarelli on behalf of Debtor Diana Polanco info@jc-lawpc.com,
 nadiafinancial@gmail.com;k.jr76568@notify.bestcase.com
 Keri P. Ebeck on behalf of Creditor Regional Acceptance Corporation kebeck@bernsteinlaw.com,
 jbluemle@bernsteinlaw.com
 Kevin Gordon McDonald on behalf of Creditor BANK OF AMERICA, N.A. kmcdonald@kmlawgroup.com,
 bkgroup@kmlawgroup.com
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7